

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILFREDO BALAQUER

CIVIL ACTION

v.

PENNSYLVANIA DEPARTMENT OF  
CORRECTIONS, *et al.*

NO. 13-6331


**ORDER**

**AND NOW**, this *15<sup>th</sup>* day of *May*, 2014, upon consideration of the Petition for Writ of Habeas Corpus, the Commonwealth's Response, inclusive of all exhibits thereto, the other documents filed by the parties, and after review of the Report and Recommendation of Chief United States Magistrate Judge Carol Sandra Moore Wells, is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**;
2. The Petition for a Writ of Habeas Corpus is **DISMISSED**, without an evidentiary hearing; and
3. Petitioner has neither shown a denial of any federal constitutional right, nor established that reasonable jurists would disagree with this court's disposition of his claims on procedural grounds. Consequently, a certificate of appealability is **DENIED**.

**IT IS SO ORDERED.**

**BY THE COURT:**

  
MITCHELL S. GOLDBERG, J.